

**DURHAM, NORTH CAROLINA
MONDAY, MAY 15, 2006
7:00 P.M.**

The Durham City Council met in regular session on the above date and time in the Council Chambers at City Hall with the following members present: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Absent: None.

Also present: City Manager Patrick Baker, City Attorney Henry Blinder, City Clerk D. Ann Gray and Management Assistant Tonette Amos.

Mayor Bell called the meeting to order with a moment of silent meditation and the Pledge of Allegiance led by Council Member Clement.

Mayor Bell read a proclamation designating May 14-20, 2006 as Police Week and May 23, 2006 as Peace Officers' Memorial Day.

Mayor Pro Tempore Cole-McFadden presented the Mayor with an award designating the City of Durham as a "Fit Community."

Mayor Bell recognized the following students who received scholarships from the National Black Mayors Conference: Ameshia Al-Esther Cooper of Northern High School; Alannah Kimia Gore of Southern High School; and Jasmine Griggs of Riverside High School.

The Members of the City Council made comments on various community events they attended recently.

The Mayor asked for priority items from the City Manager, City Attorney and City Clerk. Referencing a report provided by Duke University on May 4, 2006 regarding their response to the Lacrosse allegations that the Durham Police Department was not taking things seriously - not thinking the case was creditable, City Manager Baker stated these statements were absolutely incorrect. He stated during the early hours of March 14, 2006 when the police department arrived on the scene it was a very fast moving investigation.

City Manager Baker briefed council on a recent document prepared by one of the defense counselors representing a Lacrosse member stating that "he as the manager hires and fires the Durham City Police Chief has personally interviewed all officers in the matter and the defense is concerned that this action may be improper and may impose pressure on the Durham city police officers to get their stories straight." City Manager Baker stated he has not asserted himself improperly in this case in no way shape or form. He stated as the City Manager the buck stops with him regarding the police officers and the quality of their investigation. As the CEO of the organization, City Manager Baker noted it was his duty to the Council and the community to make certain he is in touch with what is going on.

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There were no priority items from the City Attorney and City Clerk.

Mayor Bell asked if any council member(s) or citizen(s) wanted to pull any item(s) from the Consent Agenda for discussion later in the meeting. No items were pulled from the Consent Agenda.

MOTION by Council Member Stith seconded by Council Member Catotti to approve the Consent Agenda as printed was approved at 7:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

[CONSENT AGENDA]

SUBJECT: EQUAL BUSINESS OPPORTUNITY PROGRAM ADVISORY COMMITTEE - APPOINTMENTS

MOTION by Council Member Stith seconded by Council Member Catotti to reappoint Mark Abram (SDBE Construction Firm Owner), Monique Velasquez (Non-SDBE Professional Services Firm Owner) and Charles T. Wilson, Jr., (Non-SDBE Construction Firm Owner) to the Equal Business Opportunity Program Advisory Committee with terms to expire on April 1, 2008 was approved at 7:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: CITIZENS ADVISORY COMMITTEE - APPOINTMENT

MOTION by Council Member Stith seconded by Council Member Catotti to appoint Jill Potter to fill one (1) vacancy on the Citizens Advisory Committee with a term to expire on June 30, 2008 was approved at 7:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: CULTURAL MASTER PLAN ADVISORY BOARD – RECEIPT AND ACCEPTANCE OF AN APPLICATION

MOTION by Council Member Stith seconded by Council Member Catotti to receive and accept an application to fill one (1) vacancy on the Cultural Master Plan Advisory Board with a term expiring on June 30, 2007 was approved at 7:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

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SUBJECT: MAJOR SITE PLAN – TRINITY SCHOOL (D05-874) – 4011 PICKETT ROAD

MOTION by Council Member Stith seconded by Council Member Catotti to approve a major site plan for “Trinity School,” submitted by the John R. McAdams Company, Inc., on behalf of the Trinity School of Durham and Chapel Hill, for a two-story classroom, gymnasium and modular classroom additions totaling 58,406 square feet, with 210 vehicle and four bicycle parking spaces on a 22 acre site zoned RS-20 – the property is located at 4011 Pickett Road, on the west side of Pickett Road, north of Cambridge Drive PIN 0801-03-10-4100 was approved at 7:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: PRELIMINARY PLAT – SHARON WOODS SUBDIVISION (D05-635) – EAST OF ROSE OF SHARON ROAD

MOTION by Council Member Stith seconded by Council Member Catotti to approve a preliminary plat for “Sharon Woods Subdivision,” submitted by Wrenn Engineering Company, on behalf of Full Service Realty, Inc., for 13 single family residential cluster lots on an 8.85 acre site zoned RS-20 and E-B, property is located east of Rose of Sharon Road and northeast of Valley Springs Road, PIN 0813-01-49-3089 was approved at 7:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: STREET ACCEPTANCE - STONEHILL ESTATES – PH VII - AUBURN – PHASE 2 – TREYBURN FAIRWOODS TOWNHOMES, PHASE 2 – OAKHAVEN, PHASE 2 - AMBERLYNN VALLEY TOWNHOMES - SOUTHPOINT TERRACE – PHASES 1, 2, AND 3 - PENDLETON APARTMENTS

MOTION by Council Member Stith seconded by Council Member Catotti to accept the streets listed below for maintenance by the City of Durham was approved at 7:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

Stonehill Estates – PH VII

- 1) **Thornwood Drive** – from STA 10+00 west to the end of construction at STA 86.59 (413’), and
- 2) **Obsidian Way** – from STA 10+00 north past Thornwood Drive to the end of construction @ STA 12+80.37 (280’.)

Auburn – Phase 2

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- 1) **Whitney Lane** – from the centerline of Pebble Creek Crossing east thru the cul-de-sac (992’).

Treyburn
Fairwoods Townhomes – Phase 2

- 1) **Grandwood Circle** – from the centerline of Rhododendron Drive east around the loop and back to Rhododendron Drive (1,133), and
- 2) **Rhododendron Drive** – from the centerline of Vintage Hill Parkway south to the Centerline of Grandwood Circle (190’).

Oakhaven – Phase 2

- 1) **Martry Road** – from the west curb line of Herndon Road west to the end of construction @ STA 23+16 (1,301’), and
- 2) **Carrickfergus Court** – from the centerline of Martry Road north to the end of construction @ STA 17+11.19 (711’), and
- 3) **Bally Castle Drive** – from the centerline of Martry Road north to the end of construction @ STA 14+63.61 (464’), and
- 4) **Castlebar Lane** – from the centerline of Martry Road north to the centerline of Carrickfergus Court (420’.)

Amberlynn Valley Townhomes

- 1) **Ivey Wood Lane** – from the beginning of construction @ STA 12+25 east to the end of construction @ STA 16+90 (465’), and
- 2) **St. John Drive** – from the centerline of Lynn Road east then south to the centerline of Ivey Wood Lane (580’.)

Southpoint Terrace – Phases 1, 2, and 3

- 1) **Morrell Lane** – from the beginning of construction @ STA 21+01.72 north then west thru the cul-de-sac (2,011’), and
- 2) **Water Garden Way** – from the centerline of Morrell Lane north thru the cul-de-sac (280’), and
- 3) **Rockwall Garden Way** – from the centerline of Morrell Lane north thru the cul-de-sac (258’), and
- 4) **Gardenview Place** – from the centerline of Morrell Lane north thru the cul-de-sac (210’), and
- 5) **Morning Sun Street** – from the centerline of Morrell Lane north thru the cul-de-sac (223’), and

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- 6) **Brookview Street** – from the centerline of Morrell Lane to the centerline of Morrell Lane (380'), and
- 7) **Leonardo Drive** – from the centerline of Morrell Lane north to the end of construction @ STA 52+78 (278'.)

Pendleton Apartments

- 1) **S. Woodcrest Street** – from the beginning of construction @ STA 2+32 around the loop to Ruby Ridge Road (1,818'), and
- 2) **Ruby Ridge Road** – from the end of existing construction @ STA 22+63 south to S. Woodcrest Street (213'.)

SUBJECT: SEWER EXTENSION AGREEMENT WITH STATE EMPLOYEES CREDIT UNION – EAST DURHAM

MOTION by Council Member Stith seconded by Council Member Catotti to authorize the City Manager to enter into a Sewer Extension Agreement with State Employees Credit Union (SECU) to serve State Employees Credit Union (SECU) - East Durham was approved at 7:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: WATER AND SEWER EXTENSION AGREEMENT WITH NEIGHBORHOOD DEVELOPMENT PARTNERS, LLC – ELLINGTON PLACE

MOTION by Council Member Stith seconded by Council Member Catotti to authorize the City Manager to enter into a Water & Sewer Extension Agreement with Neighborhood Development Partners, LLC to serve Ellington Place was approved at 7:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: PURCHASING CARD PROGRAM – MBNA AMERICA (DELAWARE)

MOTION by Council Member Stith seconded by Council Member Catotti to authorize the City Manager to negotiate and execute a contract with MBNA America (DELAWARE), N.A. to provide purchasing card services for a period of one year, with two optional two year renewals; and

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To authorize the City Manager to make modifications in the contract provided that the modifications do not increase the dollar amount and the modifications are consistent with the general intent and purposes of the contract was approved at 7:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: CITY HALL ELEVATOR AND GENERATOR PROJECT –
CONSTRUCTION CONTRACT WITH J. WAYNE POOLE, INC.**

MOTION by Council Member Stith seconded by Council Member Catotti to authorize the City Manager to execute a contract with J. Wayne Poole, Inc. of Greensboro, North Carolina for the modernization of four elevators and the installation of an emergency generator at City Hall in the amount of \$798,234;

To authorize the City Manager to establish a project contingency in the amount of \$79,823 for any unforeseen project costs;

To authorize the City Manager to negotiate and execute change orders for the project provided the cost does not exceed \$79,823 and the total cost of project does not exceed \$878,057; and

To authorize the City Manager to modify the contract before execution provided modifications do not increase the dollar amount of the contract, and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: CITY HALL HVAC CONSTRUCTION SERVICES CONTRACT
FOR UPGRADE AND REPLACEMENT OF HVAC_SYSTEMS –
COMFORT ENGINEERING, INC. OF DURHAM, NC**

MOTION by Council Member Stith seconded by Council Member Catotti to authorize the City Manager to execute a contract with Comfort Engineering, Inc. of Durham, NC, in the amount of \$250,720 for the replacement of City Hall HVAC systems;

To authorize City Manager to establish a project contingency of \$25,000 for any unforeseen project costs;

To authorize the City Manager to negotiate and execute change orders for the project provided that the cost does not exceed \$ 25,000 and the total cost of project does not exceed \$275,720; and

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To authorize the City Manager to modify the contract before execution provided modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: DONATION OF PARCEL 109530 FROM DUKE PARK PRESERVATION, INC. FOR A POTENTIAL FUTURE ACCESS POINT AND TRAILHEAD FACILITY TO THE DUKE BELTLINE GREENWAY

MOTION by Council Member Stith seconded by Council Member Catotti to accept the donation of Parcel 109530, 1602 N. Roxboro Street from Duke Park Preservation, Incorporated was approved at 7:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: CDBG SUB-RECIPIENT AGREEMENT AND BOND LOAN AGREEMENT WITH DURHAM COUNTY HABITAT FOR HUMANITY FOR THE INSTALLATION OF INFRASTRUCTURE IMPROVEMENTS – JUNCTION ROAD AND DODSON STREET

MOTION by Council Member Stith seconded by Council Member Catotti to authorize the reallocation and expenditure of \$188,000 in 02-03 CDBG funds and the expenditure of \$100,000 in 05-06 CDBG funds;

To authorize the City Manager to execute a sub-recipient grant agreement with Durham County Habitat for Humanity in the amount of \$188,000 in FY 02-03 CDBG funds and \$100,000 in FY 05-06 CDBG funds for installation of infrastructure improvements to the Junction Road property;

To determine and find that loans for this housing project are not otherwise available, wholly or in part, from public or private lenders, upon equivalent or reasonably equivalent terms and conditions;

To authorize the City Manager to execute a Loan Agreement with Durham County Habitat for Humanity in an amount up to \$230,000 of 1996 Housing Bond funds to be used as gap financing for the total infrastructure cost of \$718,153. Such loan to be repaid to the City no later than June 30, 2008 and will bear interest at the rate of 2% per annum on the unpaid balance; and

To authorize the City Manager to modify the agreements and other related legal documents before execution provided that the modifications do not increase the dollar

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amount of the agreements and do not lessen the obligations of the sub-recipient was approved at 7:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: CONTRACT AMENDMENT WITH GIBBS GRADING & LANDSCAPING, LLC – CHARLES L. GIBBS

MOTION by Council Member Stith seconded by Council Member Catotti to authorize the City Manager to execute a contract amendment with Gibbs Grading & Landscaping, LLC and Charles L. Gibbs in the amount of \$12,338 for a total contract amount of \$37,813; and

To authorize the City Manager to modify the existing contract ending date from May 31, 2005 to June 30, 2006 was approved at 7:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: CONTRACT FOR USE OF THE CITY OF DURHAM 2005 COPS INTEROPERABLE COMMUNICATIONS TECHNOLOGY GRANT BY ORANGE COUNTY

MOTION by Council Member Stith seconded by Council Member Catotti to authorize the City Manager to execute a contract between the City of Durham and Orange County under which Orange County will expend City grant funds to provide a modern radio dispatch console system in the amount of \$1,353,160; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: ADDITIONAL EXPENDITURES FOR CONTRACT ST-225 STREET RESURFACING – EASTERN SERVICES DBA RALEIGH PAVING

MOTION by Council Member Stith seconded by Council Member Catotti to authorize the City Manager to amend Contract ST-225 Street Resurfacing with Eastern Services dba Raleigh Paving by increasing the price by \$19,000 for asphalt needed to pave additional streets; and

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To authorize the expenditure of \$19,000 from the 2005 GO Bonds Road Resurfacing Account was approved at 7:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: CONTRACT FOR INSTALLATION OF TRAFFIC SIGNAL AT NORTH DUKE STREET (U.S. 501) AND FRASIER STREET – FULCHER ELECTRIC OF FAYETTEVILLE, INC.

MOTION by Council Member Stith seconded by Council Member Catotti to authorize the City Manager to execute a contract with Fulcher Electric of Fayetteville, Inc. in the amount of \$ 175,880 for the installation of a traffic signal with mast arms at N. Duke Street (U.S. 501) and Frasier Street;

To establish a project contingency fund in the amount of \$26,382;

To authorize the City Manager to negotiate change orders to the project provided the cost of all change orders does not exceed \$ 26,382 and the total project cost does not exceed \$202,262; and

To authorize the City Manager to modify the contract before execution provided modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: CONTRACT FOR INSTALLATION OF TRAFFIC SIGNALS AT MARTIN LUTHER KING JR. PARKWAY AND COOK ROAD AND MARTIN LUTHER KING JR. PARKWAY AND YORKTOWN AVENUE – FULCHER ELECTRIC OF FAYETTEVILLE, INC.

MOTION by Council Member Stith seconded by Council Member Catotti to authorize the City Manager to execute a contract with Fulcher Electric of Fayetteville, Inc. in the amount of \$299,552 for the installation of traffic signals with mast arms at Martin Luther King Jr. Parkway and Cook Road and Martin Luther King Jr. Parkway and Yorktown Avenue;

To establish a project contingency fund in the amount of \$34,448;

To authorize the City Manager to negotiate change orders to the project provided the cost of all change orders does not exceed \$34,448 and the total project cost does not exceed \$334,000; and

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To authorize the City Manager to modify the contract before execution provided modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: TEN YEAR PLAN TO END HOMELESSNESS IN DURHAM

MOTION by Council Member Stith seconded by Council Member Catotti to adopt the 10 Year Plan to End Homelessness in Durham was approved at 7:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: DURHAM CITY COUNCIL AGENDA ONLINE WITH ATTACHMENTS

To receive a presentation on the Durham City Council Agenda, with all supporting attachments, to make it available on the web for viewing by the public.

Note: A presentation was received at the May 4, 2006 Work Session.

SUBJECT: PARTNERS AGAINST CRIME - DISTRICT ONE

To receive comments from Thomas Poole regarding PAC District One's budget draft for community needs and a resolution for North East Central Durham.

Note: Comments were received at the May 4, 2006 Work Session.

SUBJECT: FAYETTEVILLE STREET PLANNING GROUP

To receive comments from Denise Hester requesting an adoption of the Fayetteville Street Plan and to allocate the resources to begin the implementation plan.

Note: Comments were received at the May 4, 2006 Work Session.

SUBJECT: JOHNNY C. CARTER

To receive comments from Johnny Carter concerning the unfair treatment from Housing and Community Development and repeated victimization by law enforcement.

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Note: Citizen did not appear at the May 4, 2006 Work Session.

SUBJECT: MENTAL HEALTH REFORM

MOTION by Council Member Stith seconded by Council Member Catotti to adopt a resolution in supporting legislation to preclude the Secretary of the Department of Health and Human Services from removing Screening, Triage, and Referral Services and Medicaid Utilization Review Services, together with the associated funding, from Mental Health Area Authorities was approved at 7:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

Resolution #9355

**SUBJECT: PROPOSED SALE OF PROPERTY AT 6408 AND 6412
FAYETTEVILLE ROAD**

To accept the offer of \$401,000 from Kamalakara Venkannagari and Vamshee Paduru to purchase the property at 6408 and 6412 Fayetteville Road;

To authorize the payment of a five per cent commission of \$20,050 to Venu Kadari, the N.C. Real Estate Agent representing the successful buyer at closing; and

To authorize the City Manager to sell and the Mayor to convey the property by a non-warranty deed.

Note: This item was referred back to the administration—General Services.

[GENERAL BUSINESS AGENDA]

**SUBJECT: PROPOSED FISCAL YEAR 2006-2007 BUDGET AND PROPOSED
FY 2007-2012 CAPITAL IMPROVEMENT PLAN**

To receive a presentation from the City Manager on the Proposed Fiscal Year 2006-2007 Budget and the Proposed FY 2007-2012 Capital Improvement Plan.

Mayor Bell announced that the public hearing to receive citizens' comments on the FY 06-07 budget is scheduled for Monday, June 5, 2006.

City Manager Baker made a presentation on the Proposed FY 2006-2007 Budget highlighting the following:

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- Budget Priorities (Addressing Crime and its roots causes; Focusing on Core Services; and Implementing the 2005 Bond Program and completing capital projects on time and on budget.
- The proposed property tax rate is recommended to be 62.5 cent per \$100 valuation, a 3.75 cent increase. Other user fees will increase to help improve services.
- An increase of over \$3.8 million will allow the public safety departments to recruit and retain an experienced work force.
- The expansion of the Police Department's Forensics Division will strengthen our ability to investigate crimes.
- Preventive Youth Programs
- Neighborhood Issues
- Neighborhood Economic Development Fund – Unmet Need
- Durham Area Transit Authority
- Fleet; Solid Waste; Streets and Sidewalks; Water & Sewer System
- Fiscal Accountability
- City Employees
- Organizational Efficiencies
- Population and Budget Growth
- Non-City Agencies receiving funding

City Manager Baker thanked the City of Durham employees and Department Directors, with special thanks, to the Budget and Management Services staff for their dedication in the preparation of the budget.

It was noted that the budget deliberations will be held on May 22 thru May 25th, with the public hearing scheduled on Monday, June 5, 2006.

A motion was made by Council Member Stith to allocate 30 minutes to allow the citizens present to speak on the budget. Motion dies for the lack of a second.

[GENERAL BUSINESS AGENDA – PUBLIC HEARINGS]

SUBJECT: SOLID WASTE MANAGEMENT TEN YEAR PLAN UPDATE

Mayor Bell opened the public hearing. There being no to speak in support for or against this item, the Mayor closed the public hearing.

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Catotti to receive public comments on the 2006 Solid Waste Management 10-Year Plan Update;

To adopt a resolution in support of the Plan; and

To authorize the City Manager to modify the Plan prior to the required June 30, 2006 submission to the North Carolina Department of Environment and Natural Resources,

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provided that modifications are consistent with the original intent of the Plan as approved by City Council was approved at 8:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

Resolution #9356

There being no further business to come before the City Council, the meeting was adjourned at 8:34 p.m.

D. Ann Gray, CMC
City Clerk